

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF

**October 30, 1998**

(Published November 7, 1998,  
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

October 30, 1998 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Goodman,  
Colvin Roy, Herron, Mead, Minn, McDonald,  
Johnson, Ostrow, Thurber, Campbell, Biernat,  
Niland, President Cherryhomes.

Campbell moved acceptance of the  
minutes of the adjourned session held October  
9, the regular meeting and adjourned session  
held October 16, and the adjourned session  
held October 23, 1998. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and  
communications and reports of the City officers  
to proper Council committees and departments.  
Seconded.

Adopted upon a voice vote.

### **PETITIONS AND COMMUNICATIONS**

#### **COMMUNITY DEVELOPMENT:**

COORDINATOR (264234)

City's FY99 Consolidated Plan  
Neighborhood needs report; w/Attachments.

#### **COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (264235)

Greater Minneapolis Metropolitan Housing  
Corp: Appropriation of \$20,000 in support of  
the Northeast & Northwest Housing Resource  
Centers.

Tax Forfeited Land: Authorize  
Classification as non-conservation & for  
conveyance to Hennepin County Railroad  
Authority.

Haugland Co: Direct City staff to provide  
commitment of street construction of 11th Ave  
S between 2nd St S & River Pkwy W to the  
buyer of 1101 River Pkwy W concurrent  
w/developer construction.

Riverside Plaza (1525-4th Ave S): Final  
approval to issue multifamily mortgage revenue  
refunding bonds to refinance bonds.

Walker Methodist Senior Services  
Obligated Group Project: Final approval to  
issue tax-exempt revenue bonds to refinance  
outstanding bond projects.

COORDINATOR (264236)

Request for Qualifications: Authorization to  
issue RFQ for redevelopment activities in Near  
Northside Development Area.

#### **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (264237)

North Washington Jobs Park: Increase  
MILES allocation for environmental clean-up of  
Block 41, North Washington Industrial Park  
(NWIP) & appropriation increase to acquire  
properties on NWIP.

Environmental Remediation: Authorize  
application to Met Council for Metropolitan  
Livable Communities Fund Tax Base  
Revitalization Account Grants for Sears site &  
Abrams Site & to MN Dept of Trade &  
Economic Development for Hiawatha Ave  
arsenic site.

**NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (264238)**

Beltrami Neighborhood: Approve "early access" of NRP funds to match funding for Hazardous/Boarded Building Program.

**INTERGOVERNMENTAL RELATIONS:**

**LIAISON/FEDERAL, LOCAL AND STATE (264239)**

Federal Budget Recap: Summary of Omnibus Spending Bill.

Association of Metropolitan Municipalities: Overview of Legislative Policies.

Association of Metropolitan Municipalities 1999 Legislative Policies.

Metropolitan Council: Report of Legislative Strategies Committee.

**INTERGOVERNMENTAL RELATIONS**

**(See Rep):**

**COUNCIL MEMBER CAMPBELL (264240)**

Augsburg College Ice Arena: Request pass resolution approving sale & leaseback of arena by Hennepin County & financing thereof through issuance of general obligation Bonds of the County, w/attachments.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

**POLICE DEPARTMENT (264241)**

State of the Precincts: Report on Police Athletic League.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

**CITY CLERK/SPECIAL PERMITS (264242)**

16th St & Hennepin Av (Basilica of Saint Mary) fireworks.

**HEALTH AND FAMILY SUPPORT SERVICES (264243)**

Health Services: Execute amendment to agreement with Greater Minneapolis Council of Churches to extend services provided through Division of Indian Works and Teen Indian Parents Program through 12/31/99 to provide improved pregnancy outcome and enhanced prenatal support services.

Nutrition Services in School Based Clinics: Execute agreement with Hennepin County to provide services in seven elementary, middle

and high schools, as well as during summer clinics, for calendar year 1999.

Disease Surveillance Services: Execute agreement with Hennepin County to provide surveillance services on behalf of City for calendar year 1999.

ImmuLink Registry Services: Execute contract with Hennepin County to improve immunization levels of children in Minneapolis for calendar year 1999.

**HEALTH AND FAMILY SUPPORT SERVICES (264244)**

Pediatric Dental Services: Execute amendment to agreement with Children's Dental Services to provide dental services to low income children through 12/31/99.

Laboratory Supervision and Clinical Consultant Services: Execute amendment to Agreement with Minnesota Department of Health extend services through 12/31/99.

Marketing and Media Consulting Services for Health & Family Support: Execute Amendment to agreement with Parenteau Graves Communications to extend services through 12/31/99 to assist with media campaigns, promote department research and policy Activities and assist with community forums.

HIV/AIDS Reduction Services: Execute amendment to agreement with Minneapolis Youth Diversion Program to extend services through 12/31/99 for targeted outreach, intervention and counseling services to at risk youth or youth already infected.

**INSPECTIONS DEPARTMENT (264245)**

Raze Building: 3112 Clinton Av S.

Rental Dwelling Licenses: Concur with recommendation of Rental Dwelling Licenses Board of Appeals to revoke licenses at 2314 4th St N held by Dewayne Antholz; and 2204 Emerson Av N held by Russell Erkkila.

**LICENSES AND CONSUMER SERVICES (264246)**

Licenses: Grant applications.

**PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/ BUDGET (See Rep):**

**HEALTH AND FAMILY SUPPORT SERVICES (264247)**

Early Childhood Tracking Program: Execute agreement with Minnesota Department of Health to receive funds for periodic monitoring and assessment of infants and

toddlers at risk for health or development problems, to be subcontracted to Hennepin County for the 348 TOTS Program, and appropriate funds.

School Based Clinic Services: Accept grant award from Federal Maternal and Child Health Bureau, Health Tomorrows Grant, to fund services at North Star Elementary School clinic; and Execute agreement with Hennepin County through Pilot City Health Center.

#### LICENSES AND CONSUMER SERVICES (264248)

Lead Based Paint Hazard Reduction Grant: Appropriate Year XXIV CDBG funds from MCDA to Regulatory Services for lead hazard reduction activities and to fulfill match requirements of Round IV grant from HUD.

Veterinary Services at Animal Shelter: Issue Request for Proposals for veterinary services for period of two years beginning in calendar year 1999.

Lead Education Services for Rental Property Owners: Establish permanent landlord liaison position; Authorize Human Resources staff to title and classify position; and that position be contingent upon continued grant funding.

#### POLICE DEPARTMENT (264249)

COPS More '98 Grant: Accept grant award and execute agreement with U.S. Department of Justice Community Oriented Policing Services to expand computer laptop technology into patrol and SAFE squads to enable the redeployment of officers for community policing, and appropriate funds.

Safe and Sober Grant: Accept grant award and execute agreement with State Department of Public Safety, Office of Traffic Safety, to pay officer overtime to Traffic Unit and Park officers to increase enforcement targeting impaired drivers, juvenile and young adult violators, speeding violations, and other enforcement to reduce accidents and increase driver safety.

Narcotics Enforcement Task Force: Accept grant and execute amended agreement with Minnesota Department of Children, Families and Learning, Office of Drug Policy, for additional federal anti-drug funds to extend Task Force through 12/31/99.

#### PURCHASING (264250)

Bid: OP #4964, accept low bid meeting specifications of DTC Communications for radio, transmitters, repeaters and receivers to Police Department.

#### TRANSPORTATION AND PUBLIC WORKS:

COUNCIL MEMBER MINN (264251)

Solid Waste Management Advisory Committee: Draft report.

HUMAN RESOURCES (264252)

Affirmative Action Report: Update regarding Public Works Department.

#### PUBLIC WORKS AND ENGINEERING (264253)

Bus Shelters: Report on franchise fees received from Transtop Minnesota, Inc.

Utility Billing: Update on collection of older bills and current state of the receivable.

#### TRANSPORTATION AND PUBLIC WORKS

(See Rep):

MAYOR (264254)

Holiday Shopping Promotion: Proposal for "Minneapolis Unwrapped" program to encourage holiday shopping in neighborhoods and commercial nodes.

#### PUBLIC WORKS AND ENGINEERING (264255)

Hiawatha Av Project (E 46th to 54th St): Cooperative agreement with MnDOT for City preparation of plans for relocation of existing sanitary sewers.

Tax Forfeited Land Acquisition: Acquire parcel of land at 1497 S Cedar Lake Road to be used for bridge and slope purposes.

Dinkytown Bikeway Connection: Enter Minnesota Pollution Control Agency Voluntary Petroleum Investigation and Clean-Up Program due to discover of contaminated soil.

Utility Billing: Assessment of unpaid water, sewer and solid waste charges.

Municipal Parking System: 1998 rate recommendations.

Towing Contract: Terms for proposed settlement regarding alleged contract violations of Shorty's Heavy Duty Wrecker Service.

#### PUBLIC WORKS AND ENGINEERING (264256)

Solid Waste Collection Point Area Cleanups: Assessment of unpaid charges.

Public Sidewalk Repair and Construction: Assessments for work during 1997 construction season.

Snow and Ice Removal from Public Sidewalks: Assessments for work during 1997-98 snow season.

Intelligent Transportation System Initiative (Orion Project): Joint Powers Agreement with

MnDOT regarding City participation and to allow access to City facilities.

Institute of Arts Parking Facilities: Sale of ramp and related facilities to Minneapolis Society of Fine Arts.

Flood Mitigation Program: Acquisition of properties for Holland Flood Basin Project.

## **TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET**

### **(See Rep):**

#### **PUBLIC WORKS AND ENGINEERING (264257)**

Asphalt Operations: Proposal from Bituminous Roadways, Inc. for joint asphalt operation with the City.

W Metro Education/University of St. Thomas Municipal Parking Ramp Project: Change orders to construction contract with Opus due to soil contamination.

#### **PURCHASING (264258)**

Bids: Accept #4953, only bid of Lawrence Sign for signage in the Federal Courthouse/Haaf Ramp Tunnel System.

#### **WATER DEPARTMENT (264259)**

Water Treatment Study: Issue request for proposals for consultant to evaluate results of recent treatment process feasibility study.

## **WAYS AND MEANS BUDGET:**

#### **ATTORNEY (264260)**

Outside Legal Services: Update on Cutler and Stanfield Contract.

Common Law Immunity Judgment: Update on Williams vs. City lawsuit.

#### **CIVIL RIGHTS (264261)**

Small Business Enterprise Program: Receive & File Report.

#### **ESTIMATE AND TAXATION (264262)**

Workers Compensation - Review of Internal Controls: Internal Audit Report.

#### **HEALTH AND FAMILY SUPPORT SERVICES (264263)**

Program Year 1998: First Quarter Program Status Report.

## **WAYS AND MEANS BUDGET (See Rep):**

#### **ARTS COMMISSION (264264)**

Donations to Neighborhood Arts New Presenters Program: Accept donations from Medtronic Foundation, Honeywell Foundation and individuals.

#### **ATTORNEY (264265)**

Settlements: Authorize payment to Marjorie Iraci; and Daniel Jensen.

#### **BUDGET AND EVALUATION (264266)**

Budget Hearings: Schedule.

#### **COORDINATOR (264267)**

New Central Library Organization Structure, Work Plan and Role Definition: Approved.

Convention Center Completion Project: Revisions to expansion program, schedule and budget.

Convention Center Parking Garage: Contract with Knutson.

Bid: OP 4984, Accept low bid of Premier Restaurant Equipment Company for Convention Center kitchen expansion.

Avenue of the Arts Project: Contract with SRF Consulting Group, Inc.

#### **HEALTH AND FAMILY SUPPORT SERVICES (264268)**

Community Resource Program Funds: Extend Fund Availability Notice #47-1.

Career Development and Work Readiness Services: Contract with Youth Trust.

#### **HUMAN RESOURCES (264269)**

Labor Agreement Settlement: Amend Council action of October 2, 1998, Ordinance 98-Or-110 relating to International Alliance of Theatrical and Stage Employees and Motion Picture Machine Operators of the US and Canada, Local Union 13.

Labor Agreement Settlement: Relating to Public Works Engineers Association.

General Foreman, Electrician and Foreman, Electrician (Master) Positions: Salary Ordinance.

Foreman Construction/Maintenance Position: Salary Ordinance.

National Arts Program: Approve planning City participation.

## **ZONING AND PLANNING (See Rep):**

#### **CITY CLERK/SPECIAL PERMITS (264270)**

Lyndale Av S, 5428 (Top Line Advertising) sign.

#### **PLANNING COMMISSION/DEPARTMENT (264271)**

Septan, Inc, 3948 Nicollet Av S: Planning Dept: Appeal filed by Roger Jensen from decision of Planning Commission denying nonconforming use certificate, site plan review & variance for gasoline filling station and motor

vehicle repair garage w/attached applications for same, map, drawing, landscaping, comments of City Attorney, correspondence from Rider, Bennett, Eagan & Arundel, attorney for Septran, minutes.

Rider, Bennett, Eagan & Arundel:

Documents submitted in connection with appeal, including background information, affidavits of Atty Timothy Nolan, Catherine Downham, Mary Delong, John Terlisner & Gary Crew, documentation of customer purchases, & other materials.

PLANNING COMMISSION/DEPARTMENT (264272)

Tyron Springs: Waiver of moratorium (Chapter 588 re gas stations) to permit automobile combination convenience facility at 1604 W Broadway, w/findings, drawing, map, comments from Jordan Area Community Council.

**FILED:**

CITY CLERK/SPECIAL PERMITS (264273)

17th Av S, 2432 (Bradley J Pass) horses; 30th Av N, 320 (Dennis Raymond Kivlahan) move garage; Cedar Av S, 309 (Midwest Mountaineering) tents; Lake St E, 2800 (Leroy Signs Inc) sign; Newton Av N, 1710 (Miki Jo Carlson) waive full basement requirement; Nicollet Av S, 5810 (Attracta Sign) sign; Sheridan Av N, 2918 (Rachel M Hefte) garage.

HENNEPIN COUNTY REGISTER OF DEEDS (264274)

Notice of filing the following resolutions Designating properties for local heritage preservation: 98R-228 the Theodore Wirth House, 3954 Bryant Avenue South; 98R-229 the Keyes House, 2225 East Lake of the Isles Parkway; 98R-230 the Woman's Club of Minneapolis, 410 Oak Grove Street; 98R-231 the Brooberg Residence, 727 East 24th Street; 98R-232 the Sharei Zedeck Synagogue, 1119 Morgan Avenue North; 98R-233 the Mikro Kodesh Synagogue, 1000 Oliver Avenue North.

**Reports of  
Standing Committees**

**The COMMUNITY DEVELOPMENT**

Committee submitted the following reports:

**Comm Dev** – Your Committee, having under consideration the Greater Minneapolis

Metropolitan Housing Corporation's (GMMHC) request for financial assistance from the Minneapolis Community Development Agency (MCDA) for support of the Northeast Housing Resource Center and Northwest Housing Resource Center, which are community resources for special housing programs, homebuyer education, home inspections, the Neighborhood Revitalization Program and other community housing resource needs, now recommends passage of the accompanying resolution increasing the MCDA appropriation in Fund SRF (Residential Finance) by \$20,000.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-408  
By Niland**

**Amending The 1998 Minneapolis  
Community Development Agency  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SRF – Residential Finance by \$20,000 from available fund balance.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** – Your Committee, having under consideration a review of tax-forfeited properties, now recommends passage of the accompanying resolution approving the classification of 14 of those properties as non-conservation for various disposition, including release of 11 parcels for public auction and release of 3 parcels for conveyance to the Hennepin County Rail Road Authority for future light rail development.

Your Committee further recommends that the proper City officers be authorized to execute all necessary documents.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-409**

**By Niland**

**Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non conservation and the conveyance thereof.**

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be released for public auction:

<b>PIN NUMBER</b>	<b>Address</b>	<b>Forfeit Date</b>
03-028-24-21-0140	1 LAKE ST W #203	7/16/98
03-028-24-21-0213	1 LAKE ST W #203	7/16/98
11-028-24-32-0168	4343 COLUMBUS AVE S	5/21/98
09-029-24-21-0155	3455 JAMES AVE N	7/16/98
16-029-24-13-0128	2015 GIRARD AVE N	7/16/98
16-029-24-22-0185	2312 PENN AVE N	6/04/98
16-029-24-23-0011	2202 JAMES AVE N	7/16/98
21-029-24-22-0172	1224 NEWTON AVE N 1B	7/16/98
28-029-24-22-0100	117 CEDAR LAKE RD S	7/16/98
34-029-24-23-0185	2400 PLEASANT AVE S	7/16/98
35-029-24-44-0157	2909 17TH AVE S	7/16/98

Be It Further Resolved that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be released for conveyance by Hennepin County to the Hennepin County Rail Road Authority for future light rail development:

<b>PIN NUMBER</b>	<b>Address</b>	<b>Forfeit Date</b>
20-029-24-13-0041	827 WASHBURN AVE N	6/18/98
20-029-24-13-0042	821 WASHBURN AVE N	6/18/98
20-029-24-13-0043	815 WASHBURN AVE N	6/18/98

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998. J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** – Your Committee, having under consideration the Minneapolis Community Development Agency's (MCDA) negotiations with Haugland Company for the proposed construction of a two-story, 66,000 square foot high-tech flex-office building in the Minnesota

Technology Corridor, legally described as Lot 1, Block 2, 11th Ave Addition to Minneapolis, now recommends that the proper City officers be directed to provide a written commitment to the buyer for construction of 11th Ave S from 2nd St S to River Pkwy W, and that this construction will be concurrent with the developer's new construction.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** – Your Committee, having under consideration the matter of issuing bonds on behalf of the Riverside Plaza Project at 1525 – 4th Ave S for the refinancing of the existing revenue bond financing through an FHA note modification process in order to achieve a lower interest rate, now recommends passage of the accompanying resolution granting final approval to issue up to \$26,630,000 in Multifamily Mortgage Revenue Refunding Bonds for said project (Petr No 264235).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-410, authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Refunding Bonds (GNMA Collateralized Mortgage Loan – Riverside Plaza Project) Series 1998, and providing for the security, rights and remedies of the owners thereof was passed October 30, 1998 by the City Council and approved November 5, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

## **RESOLUTION 98R-410**

**By Niland**

**Authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Refunding Bonds (GNMA Collateralized Mortgage Loan – Riverside Plaza Project) Series 1998, and providing for the security, rights and remedies of the owners thereof.**

Whereas, pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Act"), the City of Minneapolis (the "City") is authorized to issue its revenue bonds and refunding revenue bonds to finance projects authorized thereby; and

Whereas, the Minneapolis/Saint Paul Housing Finance Board (the "Original Issuer") has issued, and there is outstanding, its Multifamily Mortgage Revenue Bonds (GNMA Collateralized Mortgage Loan – Riverside Plaza Project), Series 1988 (the "Refunded Bonds"), issued to finance a multifamily rental housing development for low and moderate income persons and families in the City (the "Project") owned by Riverside Plaza Limited Partnership, a Minnesota limited partnership (the "Borrower"); and

Whereas, the Borrower has proposed that the City issue and sell its Multifamily Mortgage Revenue Bonds (GNMA Collateralized Mortgage Loan – Riverside Plaza Project), Series 1998 (the "Bonds") to refinance the Project by refunding the outstanding Refunded Bonds; and

Whereas, the Original Issuer has consented to the refunding of the Refunded Bonds by the City;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. Forms of the following documents (including the exhibits referred to therein) have been submitted to the Minneapolis Community Development Agency (MCDA):

(a) An Indenture of Trust dated as of November 1, 1998, (the "Indenture"), between the City and U.S. Bank Trust National Association, as trustee (the "Trustee"), providing for the issuance of the Bonds, prescribing the form thereof, pledging the trust estate described therein for the security of the Bonds, and setting forth proposed recitals,

covenants and agreements between parties with respect thereto;

(b) A Financing Agreement dated as of November 1, 1998 (the Financing Agreement), between the City, the Trustee and the Borrower, and the GNMA Purchase Agreement referenced therein (this document not executed by the City) setting forth, among other things, the duties of the Borrower with respect to such loan;

(c) An Amendment No. 1 to the Regulatory Agreement dated as of November 1, 1998 (the "Regulatory Agreement") among the Original Issuer, the City, and the Borrower;

(d) An Amendment to Declaration of Restrictive Covenants to be executed by the Borrower (this document not to be executed by the City), setting forth certain covenants of the Borrower;

(e) An Arbitrage Compliance Agreement, dated as of November 1, 1998 by and between the City, the Trustee and the Borrower, providing for investment of the proceeds of the Bonds, as provided in the Indenture;

(f) An Bond Purchase Agreement, to be dated as of the date of execution thereof (the "Bond Purchase Agreement"), by and among the City, the Borrower, Piper Jaffray Inc. and Dain Rauscher Incorporated (the "Underwriters"), providing for the purchase of the Bonds by the Underwriter;

(g) A Continuing Disclosure Agreement, dated as of November 1, 1998 (the "Continuing Disclosure Agreement"), between the Borrower and the Trustee (this document not to be executed by the City); and

(h) A Preliminary Official Statement (the "Preliminary Official Statement"), from which an Official Statement will be generated.

The agreements described and referred to above in paragraphs (a) through (h) are hereinafter sometimes referred to collectively as the "Agreements".

2. For the purposes set forth in the recitals above, the City hereby authorizes the issuance, sale and delivery of the Bonds in a principal amount of \$26,630,000. The Bonds shall be numbered, shall be dated, shall mature, shall be subject to redemption prior to maturity, shall be in such form, shall bear interest and shall have such other details and provisions as are prescribed in the Indenture.

3. The Bonds shall be special obligations of the City payable solely from the revenues

provided pursuant to the Financing Agreement and other funds pledged pursuant to the Indenture. The City hereby authorizes the execution and delivery of the Indenture and the execution of the Bonds in accordance with the Indenture, and hereby provides that the Indenture shall provide the terms and conditions, covenants, rights, obligations, duties and agreements of the bondholders, the City and the Trustee as set forth therein.

All of the provisions of the Indenture, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof.

4. The Agreements, in substantially the forms on file with the MCDA, are hereby approved with such necessary and appropriate variations, omissions and insertions as do not materially change the substance thereof, or as the officers executing the same, in their discretion, shall determine, and the execution thereof by the City shall be conclusive evidence of such determination. Such of the Agreements as require the execution of the City are hereby authorized and directed to be executed or accepted, as the case may be, and delivered in the name and on behalf of the City by the signature of the Mayor, countersigned by the Finance Officer and attested by the City Clerk, upon execution thereof by the other parties thereto as appropriate. The Bonds and the Agreements shall be executed and delivered as provided therein. Copies of all the documents necessary for the consummation of the transactions described herein and in the Agreements shall be delivered, filed and recorded as provided herein and in the Agreements.

5. The Bonds shall be revenue obligations of the City the proceeds of which shall be disbursed pursuant to the Indenture and the Financing Agreement, and the principal, premium and interest on the Bonds shall be payable solely from the proceeds of the Bonds and the revenues to be received pursuant to the Financing Agreement and from enforcement of the fully-secured mortgage-backed security (the "GNMA Security") issued by Mellon Mortgage Company (the "Lender") as security for the Bonds, all in accordance with the Indenture.



6. The Trustee is hereby appointed as Paying Agent and Bond Registrar for the Bonds.

7. The Mayor, the Finance Officer and the City Clerk are hereby authorized to execute and deliver, on behalf of the City, such other documents as are necessary or appropriate in connection with the issuance, sale, and delivery of the Bonds, including an Arbitrage Certificate with respect to the Bonds, and all other documents and certificates as shall be necessary and appropriate in connection with the issuance, sale and delivery of the Bonds.

8. The City has not participated in the preparation of the Preliminary Official Statement or the Official Statement and has made and will make no independent investigation with respect to the information to be contained therein, including the Appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy or completeness of such information. Subject to the foregoing, the City hereby ratifies the distribution and the use by the Underwriter of the Preliminary Official Statement and consents to the distribution and use by the Underwriter of the Official Statement. The Preliminary Official Statement and the Official Statement are the sole materials consented to by the City for use in connection with the offer and sale of the Bonds.

9. All covenants, stipulations, obligations and agreements of the City contained in this resolution and the Agreements shall be deemed to be covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations and agreements shall be binding upon the City. Except as otherwise provided in this resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the City or the City Council by the provisions of this resolution or of the aforementioned documents shall be exercised or performed by the City or by such members of the City Council, or such officers, board, body or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties.

No covenant, stipulation, obligation or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member of the City Council,

or any officer, agent or employee of the City in that person's individual capacity, and neither the City Council nor any officer or employee executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

No provision, covenant or agreement contained in the aforementioned documents, the Bonds or in any other document related to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Financing Agreement which are to be applied to the payment of the Bonds, as provided therein and in the Indenture.

10. Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City or any holder of the Bonds issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provision hereof, this resolution, the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and any holder from time to time of the Bonds issued under the provisions of this resolution.

11. In case any one or more of the provisions of this resolution, or of the aforementioned documents, or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Bonds, but this resolution, the aforementioned documents, and the Bonds shall be construed and endorsed as if such illegal or invalid provision had not been contained therein.

12. The Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of

the Bonds and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Bonds and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to the issuance of the Bonds and the execution of the aforementioned documents have happened, do exist and have been performed as required by law.

13. The officers of the City, attorneys, engineers and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, and the Bonds for the full, punctual and complete performance of all the terms, covenants and agreements contained in the Bonds, the aforementioned documents and this resolution.

14. This resolution shall be in full force and effect from and after its passage and publication.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** – Your Committee, having under consideration the matter of issuing revenue bonds on behalf of Walker Methodist Senior Services Obligated Group Project, and the Council having granted preliminary approval to issue such bonds on October 2, 1998, now recommends passage of the accompanying resolution granting final approval to issue up to \$80 million in Tax-exempt Revenue Bonds for the following projects, as more fully set forth in Petn No 264235:

1) The Minneapolis portion of the refunding bond issue, approximately \$40 million, will be used to refinance the following outstanding Minneapolis bond projects: a) Walker Senior Housing Corporation Project, 3535 Bryant Ave S; b) Walker Cityview and Walker Southview Nursing Home Projects at 6130 Lyndale Ave S and 618 E 17th St; c) Walker Methodist Health Center Project, 3737 Bryant Ave S; and d) Walker Residence Project, 3701 Bryant Ave S;

2) The Minneapolis portion which will be used to make repairs, renovations and improvements to the various nursing home and apartment facilities located in Minneapolis will be approximately \$8.5 million;

3) Approximately \$11 million will be used to make improvements and refinance the 72-unit assisted living facility at 7400 York Ave S, Edina, MN;

4) Approximately \$8.5 million will be used to make improvements and refinance the 128-unit elderly rental housing project at One West Thompson, W St. Paul, MN;

5) Approximately \$6 million will be used to make improvements and refinance the 98-unit elderly rental housing project at 131 Monroe St, Anoka, MN.

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-411, providing for the issuance and sale of up to \$80,000,000 Revenue Bonds, Series 1998 (Walker Methodist Senior Services Obligated Group) and authorizing the execution and delivery of various documents was passed October 30, 1998 by the City Council and approved November 5, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 98R-411**  
**By Niland**

**Providing for the issuance and sale of up to \$80,000,000 Revenue Bonds, Series 1998 (Walker Methodist Senior Services Obligated Group) and authorizing the execution and delivery of various documents.**

Resolved by The City Council of The City of Minneapolis:

1. **Authority.** The City is by the Constitution and laws of the State of

Minnesota, including Minnesota Statutes, Chapter 462C, Chapter 462A and Sections 469.152 to 469.1651 as amended (the "Act"), authorized to issue and sell its revenue bonds for the purpose of financing or rehabilitating multifamily housing developments and improving and refinancing health facilities and to enter into contracts necessary or convenient in the exercise of the powers granted by the Act. The City is also authorized to issue and sell its revenue bonds for the purpose of financing or refinancing multifamily housing developments on behalf of the Dakota County Housing and Redevelopment Authority (or the City of West Saint Paul, Minnesota), the City of Anoka, Minnesota and the City of Edina, Minnesota pursuant to certain joint powers agreements entered into by the foregoing and the City pursuant to Minnesota Statutes Section 471.59.

**2. Authorization of Bonds.** The City received a proposal from Walker Methodist Health Center, Inc., Walker Care Corporation I, Walker Assisted Living Corporation I, Walker Senior Housing Corporation III, Walker Senior Housing Corporation V, Walker Senior Housing Corporation IX, Walker Senior Services, Inc., Walker Residence, Inc. and (together with any affiliates of the foregoing (the "Initial Members")) that the City issue its revenue bonds pursuant to the Act for the purposes described below:

A. to pay costs of (i) refunding one or more bonds issued as a part of City of Minneapolis, Minnesota Multifamily Housing Revenue Bonds (Walker Senior Housing Corporation V Project) Series 1988, issued in the original principal amount of \$4,450,000 and City of Minneapolis, Minnesota Multifamily Housing Revenue Note (Walker Senior Housing Corporation V Project) Series 1988, issued in the original principal amount of \$300,000, proceeds of which were used to finance or refinance costs associated with a 107-unit rental apartment building located at 3535 Bryant Avenue South in the City, owned by Walker Senior Housing Corporation V; (ii) refunding City of Minneapolis, Minnesota Nursing Home Revenue Bonds (Walker Cityview and Southview Projects) Series 1992, issued in the original principal amount of \$5,650,000, proceeds of which were used to finance or refinance costs associated with a 144-bed skilled care nursing home, located at 6130 Lyndale Avenue South in the City and a 170-

bed skilled care nursing home, located at 618 East 17<sup>th</sup> Street in the City, each owned by Walker Health Services, Inc. (subject to transfer to one or more affiliates of the Obligated Group); (iii) refunding Minneapolis Community Development Agency Revenue Refunding Bonds (Walker Methodist Health Center, Inc. Project) Series 1995, issued in the original principal amount of \$18,440,000, proceeds of which were used to finance or refinance costs associated with a 490-bed skilled and intermediate care nursing facility, located at 3737 Bryant Avenue South in the City, owned by Walker Methodist Health Center, Inc.; (iv) refunding City of Minneapolis, Minnesota Seven Year Adjustable Put Option Refunding Revenue Bonds (Walker Residence, Inc. Project) Series 1991A, issued in the original principal amount of \$11,400,000 and City of Minneapolis, Minnesota Taxable Revenue Bonds (Walker Residence, Inc. Project) Series 1991B, issued in the original principal amount of \$300,000, proceeds of which were used to finance or refinance costs associated with a 139-unit senior apartment facility known as Walker Place, located at 3701 Bryant Avenue South in the City, owned by Walker Residence, Inc.; (v) repairing, renovating or otherwise improving one or more of the foregoing described facilities (collectively, the "Minneapolis Facilities"); (vi) funding any debt service or other reserves and (vii) paying transaction costs related to the foregoing;

B. to pay costs of (i) refunding one or more bonds issued as a part of City of Edina, Minnesota Multifamily Housing Revenue Bonds (Walker Assisted Living Corporation I) Series 1991, issued in the original principal amount of \$6,700,000 or \$450,000 original issue amount of City of Edina Subordinated Multifamily Housing Revenue Note (Walker Assisted Living Corporation) Series 1991, proceeds of which bonds were used to finance or refinance costs associated with a 72 unit assisted living facility (the "Edina Facilities"), located at 7400 York Avenue South in the City of Edina, Minnesota, owned by Walker Assisted Living Corporation I, (ii) repairing, renovating or otherwise improving or equipping one or more of the Edina Facilities, (iii) funding any debt service or other reserves and (iv) paying transaction costs related to the foregoing;

C. to pay costs of (i) refunding in one or more bonds issued as a part of The Dakota County Housing and Redevelopment Authority Multifamily Rental Housing Revenue Bonds (Westwood Ridge Senior Residence Project) Series 1994A, issued in the original principal amount of \$4,650,000, proceeds of which were used to finance or refinance costs associated with a 128 unit elderly rental housing development located at One West Thompson, in the City of West St. Paul, Minnesota, owned by Walker Senior Housing Corporation IX (the "West St. Paul Facilities"), (ii) repairing, renovating or otherwise improving or equipping one or more of the West St. Paul Facilities, (iii) funding any debt service or other reserves and (iv) paying transaction costs related to the foregoing; and

D. issued to pay costs of (i) refunding one or more bonds issued as a part of City of Anoka, Minnesota Multifamily Housing Revenue Bonds (Walker Plaza Project) Series 1989A, issued in the original principal amount of \$2,625,000 or City of Anoka, Minnesota Multifamily Housing Revenue Bonds (Walker Plaza Project) Series 1989B, issued in the original principal amount of \$2,150,000, the proceeds of which were used to finance or refinance costs associated with a 98 unit elderly rental housing development, located at 131 Monroe Street in the City of Anoka, Minnesota, owned by Walker Senior Housing Corporation III (the "Anoka Facilities"), (ii) repairing, renovating or otherwise improving or equipping one or more of the Anoka Facilities, (iii) funding any debt service or other reserves and (iv) paying transaction costs related to the foregoing.

In furtherance of the policies set forth in Minnesota Chapters 462C and 469.152 et. seq. (collectively, the "Act") the City does hereby authorize, the issuance and sale of the City's Revenue Bonds, Series 1998 (Walker Methodist Senior Services Obligated Group) (the "Bonds"), subject to the terms and conditions hereinbelow provided.

**3. Documents Presented.** Forms of the following documents relating to the Bonds have been submitted to the City and are now on file in the offices of the Minneapolis Community Development Agency:

(a) a Loan Agreement (the "Loan Agreement") dated as of November 15, 1998, between the City and the Initial Members (as

therein defined), whereby the City agrees to make a loan of the proceeds of the Bonds to the Initial Members for the above stated purposes, and the Initial Members agree to repay the loan by amounts payable under the Master Note described below;

(b) a Bond Trust Indenture (the "Bond Indenture") dated as of November 15, 1998, between the City and U.S. Bank Trust National Association, a trustee (the "Bond Trustee"), authorizing the issuance and setting the terms of the Bonds and pledging the revenues to be derived from the Loan Agreement and Master Note as security for the Bonds, and setting forth proposed recitals, covenants and agreements relating thereto;

(c) a Master Trust Indenture (the "Master Indenture") dated as of November 15, 1998 between the Initial Members and other Obligated Members (as such term is defined therein) and US Bank Trust National Association, as trustee (the "Master Trustee"), establishing the terms under which Obligated Members may incur debt for which all Obligated Members are liable, jointly and severally;

(d) a First Supplemental Master Trust Indenture dated as of November 15, 1998 between the Obligated Members and the Master Trustee (the "Supplemental Master Indenture"), supplementing the Master Indenture and authorizing the issuance of a promissory note secured by the Master Trust Indenture that will be payable in amounts and at times to provide funds sufficient to pay all amounts due on the Bonds;

(e) a Promissory Note, Series 1998 (the "Master Note") from the Initial Members to the City, which will be assigned by the City to the Bond Trustee;

(f) a Related Bond Mortgage dated as of November 15, 1998 between the Obligated Members and the City (the "Mortgage"), creating a mortgage lien on and security interest in the one or more of the Minneapolis Facilities, the Anoka Facilities, the Edina Facilities and the West St. Paul Facilities (collectively, the "Facilities");

(g) an Assignment of Mortgage (the "Mortgage Assignment") dated as of November 15, 1998 whereby the City assigns its interest in the Mortgage to the Master Trustee;

(h) Bond Purchase Agreement (the "Bond Purchase Agreement") among the City, the

Borrower and Ziegler Securities and Piper Jaffray Inc. (collectively, the "Underwriter");

(i) Preliminary Official Statement (the "Preliminary Official Statement"), from which an Official Statement pertaining to the Bonds will be derived when final terms are established on the Bonds; and

(j) a Joint Powers Agreements dated as of November 15, 1998 between the City and the Dakota County Housing and Redevelopment Authority (or the City of West St. Paul, Minnesota); a Joint Powers Agreements dated as of November 15, 1998 between the City and the City of Anoka, Minnesota; and a Joint Powers Agreements dated as of November 15, 1998 between the City and the City of Edina, Minnesota (collectively, each of the foregoing agreements being a "Joint Powers Agreement").

**4. Findings.** It is hereby found, determined and declared that:

(a) The issuance of the Bonds, and the intended applications or the proceeds thereof further the purposes and policies of the Act.

(b) The City held a public hearing on October 5, 1998 relating to the Bonds at which time preliminary approval to issuance of the Bonds was given and at which a housing plan under the Act and submission of an application under the Act to the Minnesota Department of Trade and Economic Development were approved.

(c) All representations of the City in the Bond Indenture are true and correct.

(d) The Master Note provides for payments by the Obligated Members to the Bond Trustee for the account of the City of such amounts as will be sufficient to pay the principal of and interest on the Bonds when due. The Master Indenture obligates the Obligated Members to provide for the operation and maintenance of the Facilities, including adequate insurance, taxes and special assessments. The Loan Agreement further provides for the payment of fees to the City as set forth therein.

(e) The Initial Members have approved and requested the City to accept the proposal of the Underwriter to purchase the Bonds on the terms set forth herein and in the Bond Purchase Agreement, and the proposal appears feasible and reasonable.

(f) The Bonds are, and are hereby designated to be, program bonds as defined in

Resolution No. 88R-021 of the City Council adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

(g) Under the Act and as provided in the Loan Agreement and Bond Indenture, the Bonds are not to be payable from nor charged upon any funds other than amounts payable pursuant to the Loan Agreement, the Master Note, the Master Indenture, all Obligated Group Mortgages (as defined in the Master Indenture) and moneys in the funds and accounts held by the Trustee which are pledged to the payment thereof; the City is not subject to any liability thereon; no holders of the Bonds shall ever have the right to compel the exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City; the Bonds shall never constitute an indebtedness of the City, within the meaning of any constitutional, statutory or charter limitation and shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City; and each Bond issued under the Bond Indenture shall recite in effect that the Bond, including interest thereon, shall not constitute nor give rise to a charge against the general credit or taxing powers of the City and does not grant to the owner or holder of any Bond the right to have the City levy taxes or appropriate any funds for the payment of principal thereof or the interest or premium, if any, thereon and the Bond is not a general obligation of the city or individual officers or agents thereof.

**5. Approval and Execution of Documents.** The forms of each Joint Powers Agreement, the Bond Indenture, the Loan Agreement, the Master Indenture, the Supplemental Master Indenture, the Master Note, the Mortgage, the Mortgage Assignment and the Bond Purchase Agreement are approved and upon approval of the issuance of the Bonds by the Commissioner of Trade and Economic Development (to the extent required by law), each of the Joint Powers Agreements, the Bond Indenture, the Loan Agreement, an endorsement of the Master Note to the Bond Trustee, the Mortgage, the Mortgage Assignment and the Bond Purchase

Agreement shall be executed in the name and on behalf of the City by the Mayor and attested by the Clerk and Finance Officer or the officers authorized to act on behalf of the foregoing officers, in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof. The Bonds shall be executed as provided by the Indenture. Such approval is conditioned on the average interest rate on the Bonds not exceeding 10.00% per annum and the aggregate principal amount of the Bonds not exceeding \$80,000,000.

**6. Official Statement.** The City hereby consents to the circulation by the Underwriter of the Preliminary Official Statement (and when finalized, the final Official Statement) in the offering of the Bonds; provided, however, that the City has not participated in the preparation of the Preliminary Official Statement or the final Official Statement or independently verified the information in the Official Statement and by this consent or the issuance of the Bonds does not assume any responsibility for, and make any representations or warranties as to, the accuracy or completeness of the information in the Preliminary Official Statement or the final Official Statement.

**7. Certifications.** The officers of the City are authorized and directed to prepare and furnish to Faegre & Benson LLP, bond counsel, to the Initial Members, to the Underwriter and to counsel for the Initial Members and the Underwriter, certified copies of all proceedings and records of the City relating to the Project and the Bonds, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the trust of all statements contained therein.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998. J.

Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** – Your Committee recommends that the City Coordinator be authorized to issue a Request for Qualifications (RFQ) for the Near Northside redevelopment activities, as more fully set forth in Petn No 264236.

Niland moved to amend the report by deleting the language "Request for Qualifications (RFQ)" and inserting in lieu thereof, "Request for Proposals (RFP)." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the pursuit of remaining acquisitions proposed for the North Washington Industrial Park area, including the west side of Washington Ave N and properties along 2nd St N, now recommends approval of an increase in the MILES allocation to the North Washington Jobs Park by \$824,000; \$300,000 to cover additional environmental cleanup costs incurred by the Minneapolis Community Development Agency (MCDA) and the Redeveloper at the Union Scrap site, \$500,000 to start acquisitions for future redevelopment, and \$24,000 for administration, by passage of the accompanying resolution increasing the MCDA appropriation in Fund CPA (NWIP) by \$800,000 and increasing the appropriation in Fund CAD (Tax Increment Administration) by \$24,000 (Petr No 264237).

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-412**  
**By Niland and Campbell**

**Amending The 1998 Minneapolis  
Community Development Agency  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Increasing the appropriation in Fund CPA – NWIP by \$800,000 from available fund balance;

b) Increasing the appropriation in Fund CAD – Tax Increment Administration by \$24,000 from available fund balance.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998 S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration environmental remediation of the Abrams site in the Southeast Minneapolis Industrial Area, the Sears site at Chicago Ave and Lake St; and the Hiawatha Ave Arsenic site, now recommends that the Minneapolis Community Development Agency (MCDA) be authorized as follows:

a) To apply to the Metropolitan Council for Metropolitan Livable Communities Fund Tax Base Revitalization Account Grants for the Sears site in an amount up to \$600,000, and for the Abrams site in an amount up to \$630,000; and

b) To apply to the Minnesota Department of Trade and Economic Development for grant funding for the Hiawatha Ave Arsenic site in an amount up to \$50,000.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

**W&M/Budget** – Your Committee further recommends that the MCDA be authorized to apply to the Metropolitan Council for Metropolitan Livable Communities Fund Tax

Base Revitalization Account Grants for environmental remediation of the Calhoun Commons Shopping Center site and further recommends that MCDA be authorized to apply to the Minnesota Department of Trade and Economic Development for the Calhoun Commons Shopping Center site.

Your Committee further recommends that all local matches required as a grant condition will be provided by the private developer.

Niland moved to approve the recommendations of both committees.

Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Beltrami Neighborhood's request for early access to NRP funds in the amount of \$25,000 to be used as matching funds to participate in the Memorandum of Understanding between the City of Minneapolis and the Neighborhoods of the City for the Hazardous/Boarded Buildings Program, as set forth in Petn No 264238, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$25,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-413**  
**By Niland and Campbell**

**Amending The 1998 Minneapolis  
Community Development Agency  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR – NRP Program by \$25,000 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL  
RELATIONS** Committee submitted the  
following report:

**IGR** – Your Committee recommends passage of the accompanying resolution approving the sale and leaseback of Augsburg College Ice Arena by Hennepin County and financing thereof through issuance of general obligation bonds of the County. (Petn No 264240)

Adopted. Yeas, 12; Nays none.

Declining to Vote – Cherryhomes.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-414**  
**By Campbell**

**Approving sale and leaseback of  
Augsburg College Ice Arena by Hennepin  
County and financing thereof through  
issuance of general obligation bonds of the  
County.**

Whereas, Augsburg College, a Minnesota nonprofit corporation (the “College”), has requested that Hennepin County (the “County”) purchase the College’s Ice Arena, located at 2323 Riverside Avenue in the City, with provisions to lease back the facility under certain conditions; and

Whereas, the County is authorized by Minnesota Statutes, Sections 373.43 and 373.44 to acquire an indoor ice arena to be used predominantly for youth athletic activities, to lease the facility to a nonprofit corporation with option to purchase, and to finance the transaction through the issuance of general obligation bonds pursuant to Minnesota Statutes, Chapter 475; and

Whereas, Minnesota Statutes, Section 475.58 allows the County to issue general obligation bonds without an election to finance the purchase if certain conditions are met, including approval of the transaction by this Council and/or the Minneapolis School Board; and

Whereas, it is in the public interest to enhance and expand youth recreational opportunities within the City because it promotes the healthy development of young people, a valuable long-term investment and an appropriate use of public resources;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis, that the acquisition of the Augsburg College Ice Arena by the County and the financing thereof by the issuance of general obligation bonds of the County are hereby approved for all purposes under Minnesota Statutes, Sections 373.43 and 373.44 and Chapter 475.

Adopted. Yeas, 12; Nays none.

Declining to Vote – Cherryhomes.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY  
SERVICES** Committee submitted the following reports:

**PS&RS** – Your Committee recommends granting the application of Theresa Ashmore, submitted on behalf of the Basilica of Saint Mary, for a special permit to sponsor a five-minute fireworks display on Sunday, November 15, 1998 at 7:15 p.m. to celebrate the Basilica’s new bells. The fireworks display will be launched from Parade Stadium, and guests will watch the fireworks from the grounds of the Basilica of Saint Mary at 16th St and Hennepin Av.

Adopted. Yeas, 13; Nays none.



Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the application of Nelmatt LLC, dba Matts Bar, 3500 Cedar Av, for an On-Sale Beer Class E License (change in ownership from Chermatt Inc) to expire April 1, 1999, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved October 30, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 3, 1998)

**PS&RS** – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

**Off-Sale Liquor, to expire October 1, 1999**

Hilton Hotels Corporation, dba Minneapolis Hilton, 1001 Marquette Av;

**On-Sale Liquor Class A with Sunday Sales, to expire January 1, 1999**

T H S Hotel Operations Inc, dba T H S Hotel Operations, 618 2nd Av S (new corporate officer);

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1999**

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, October 10, 1998 from 5:30 p.m. to 11:00 p.m., Crossroads Adoption);

Minnesota Orchestral Association, 1111 Nicollet Mall (October 12, 1998 from 6:00 p.m. to 8:45 p.m.);

Hilton Hotels Corporation, dba Minneapolis Hilton & Towers, 1001 Marquette Av;

**On-Sale Liquor Class B with Sunday Sales, to expire July 1, 1999**

Margarita Bella Inc, dba Margarita Bella, 1032 3rd Av NE (change in ownership from Convertible Tommy's Ltd);

Plaza Cafe, Inc, dba Plaza Cafe, 15 Main St SE, Ste #207;

**Temporary On-Sale Liquor**

Minnesota AIDS Project, 1400 Park Av (October 31, 1998 from 9:00 p.m. to 3:00 a.m. at 110 5th St SE).

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of October 30, 1998, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 264246):

Amusement Devices; Place of Amusement Class A; Place of Amusement Class B-1; Place of Amusement Class B-2; Place of Amusement Class C; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Check Cashing Facilities; Contractor/Masonry Class A; Contractor/Masonry Class B; Check Cashing Facilities; Christmas Tree; Fire Extinguisher Class A; Fire Extinguisher Class B; Confectionery; Farm Produce Permit; Food Distributor; Grocery; Indoor Food Cart; Food Manufacturer; Restaurant-Drive In-Restricted; Restaurant; Short-Term Food Permit; Sidewalk Cafe Permit; Fuel Dealer; Gas Fitter Class A; Gasoline Filling Station; Musical Juke Box; Lodging House; Motor Vehicle Dealer – Used Only; Motor Vehicle Immobilization Service; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Access Use; Motor Vehicle Servicing Class B (Towing); Motor Vehicle Servicing Class C (Towing); Motor Vehicle Servicing Class D (Towing); Commercial Parking Lot Class A; Commercial Parking Lot Class B-Contract; Peddler –Special Religious; Pet Shop; Plumber; Precious Metal Dealer; Exhibition Operator; Skating Rink – Roller & Ice; Solid Waste Hauler; Suntanning Facilities; Tattooing; Taxicab Limited; Taxicab Vehicle; Theater Zone I; Theater Zone II; Theater Zone III; Tobacco Dealers; Tradesman-Combination; Tree Servicing; and Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

**Gambling Lawful Exempt**

MSAIA Architectural Foundation, 275 Market St, Ste 54 (raffle, December 2, 1998, at Convention Center);

Make A Wish Foundation of Minnesota, 5201 E River Rd #309 (raffle, November 19, 1998, at 651 Nicollet Mall);

Church of St Anne, 2627 Queen Av N (bingo, November 8, 1998);

Minneapolis Police Officers Federation, 1811 University Av NE (raffle, December 13, 1998);

Women's Transp. Seminar Scholarship, One Walnut St, Boston, MA (raffle, December 3, 1998, at 110 Bank St).

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Repair Garage License held by Yohannes Zemedhkin, dba Great Brakes, 3326 University Av SE, and having been notified that liability insurance for the licensee had lapsed during the period June 28, 1998 to September 2, 1998, and having received notification that the licensee has agreed to forgo a Technical Advisory Committee (TAC) hearing thereon and to stipulate that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that in lieu of a thirty (30) day suspension, the licensee pay an administrative fine of \$200 to the City of Minneapolis;

b. that the licensee agrees to maintain insurance at all times, and that further violations will result in immediate closure of the business;

c. that the licensee agrees to keep all vehicles being serviced by the garage and off of University Av SE.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Tree Servicer's License held by Robert Hutcheson, dba The Tree Stump Company, 13677 Dan Patch Dr, Savage, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing after receiving a complaint from the homeowners at 4031 Pleasant Av S that the licensee deviated from a written contract and failed to resolve a consumer complaint in a reasonable manner, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay a fine of \$700 to the City of Minneapolis, to be suspended upon settling the matter, in the amount of \$4,000, with the homeowner;

b. the licensee agrees to respond to all correspondence from the Licenses & Consumer Services Division within a period of ten days;

c. the licensee agrees to investigate all consumer complaints received by their business within 14 days, including an onsite visit by the owner to investigate the complaint in question, and that all responses to the consumer shall be in writing.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to amend Agreement #12336 with Children's Dental Services, Inc, increasing the amount by \$109,094 for a new total contract not to exceed \$218,729, and extending the contract for the period January 1 through December 31, 1999, to continue providing dental services to low income Minneapolis children at ten inner City schools and Head Start sites. Said agreement to be payable from the Health Department, with \$90,000 from (030-440-4413) and \$19,094 from

(040-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to amend Agreement #12230 with the Minnesota Department of Health, increasing the amount by \$10,000 for a new total contract not to exceed \$20,000, and extending the contract for the period January 1 through December 31, 1999, for laboratory supervision and clinical consultant services in order to be in compliance with the federal Clinical Laboratory Improvement Act, payable from the Health Department (040-440-4413).

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to execute an amendment to Agreement #12055 with Parenteau Graves Communications, increasing the amount by \$25,000 for a new total contract not to exceed \$50,000, and extending the contract for the period January 1 through December 31, 1999, for marketing and media consulting services for the Department of Health & Family Support. Said agreement to be payable from the Health Department, with \$10,000 from (060-440-4413) and \$15,000 from (010-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to execute an amendment to Agreement #12481 with the Minneapolis Youth Diversion Program, increasing the amount by \$25,000 for a new total contract not to exceed \$50,000, and extending the contract for the period January 1 through December 31, 1999, for HIV/AIDS risk

reduction services through Project Offstreets. Said agreement will provide targeted outreach, intervention and counseling services to youth at risk of HIV infection and for youth who are already infected, payable from the Health Department (010-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to execute an amendment to Agreement #12372 with the Greater Minneapolis Council of Churches, increasing the amount by \$30,000 for a new total contract not to exceed \$60,000, and extending the contract for the period January 1 through December 31, 1999, to provide improved pregnancy outcome and enhanced prenatal health services to adolescent American Indian parents and their children through its Division of Indian Works and Teen Indian Parents Program. Said agreement to be payable from the Health Department (010-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to execute an agreement with Hennepin County, in the amount of \$57,300, to provide nutrition services in seven elementary, middle and high schools, and during summer clinics, as part of the School Based Clinic Program. Said agreement to be for the period January 1, 1999 through December 31, 1999, payable from the Health Department, with \$44,000 from (010-440-4422) and \$13,300 from (030-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to execute an agreement with Hennepin County, in the amount of \$50,000, to provide Community Health Service funded disease surveillance services on behalf of the City for the period January 1 through December 31, 1999, which shall include conducting surveillance of state-mandated reportable diseases and disease clusters or outbreaks; investigating and controlling outbreaks of infectious diseases including food borne diseases; managing databases which include Minneapolis reportable disease and health conditions; and providing consultation to Minneapolis day care providers on prevention and control of infectious diseases. Said agreement to be payable from the Health Department (060-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to execute an agreement with Hennepin County, in the amount of \$150,000, to participate in the countywide ImmuLink Immunization Registry Project, for the period January 1 through December 31, 1999, to improve the immunization levels of children in Minneapolis, payable from the Health Department (060-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the property located at 3112 Clinton Av S which has been determined by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having exercised all provisions of said ordinance and the compliance date having expired, now recommends that the proper City Officers be authorized to raze said property legally known as Lot 4, Block 1, Third Avenue

Addition (PID #03-028-24-11-0123), as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Rental Dwelling License held by Dewayne Antholz for the property located at 2314 4th St N, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on September 8, 1998, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked as a result of conduct on the licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Rental Dwelling License held by Russell Erkkila for the property located at 2204 Emerson Av N, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on September 8, 1998, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked as a result of conduct on the licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas — Goodman, Colvin Roy, Herron, Mead, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays — Minn.

Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

**PS&RS & T&PW** - Your Committee, having under consideration the parking restrictions on 5th Street between 3rd and 4th Avenues, now recommends:

a. that the parking spots allocated for emergency vehicles and the electronic media be moved to the south side (Government Center side) of 5th Street to enable the north side (City Hall side) to be reserved for parking by City Council Members, the Mayor and the Fire Chief's vehicle.

b. that police officers from the Police Traffic Unit and Traffic Control Agents from Traffic Control be directed to enforce the parking restrictions on a very regular basis.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**PS&RS & W&M/Budget** – Your Committee recommends passage of the accompanying Resolution appropriating \$200,000 to the Licenses & Consumer Services Agency to reflect the reallocation of Minneapolis Community Development Agency Year XXIV Community Development Block Grant funds to be used for lead hazard reduction activities and to fulfill match requirements of the Round IV Lead Based Paint Hazard Reduction Grant funded by the United States Department of Housing and Urban Development.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-415**  
**By Biernat and Campbell**

**Amending The 1998 General  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Licenses & Consumer Services Agency in the CDBG/UDAG Funds Fund (040-835-8393) by \$200,000.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** – Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals to secure the professional services of a veterinarian at the Minneapolis Animal Shelter for a two-year period, beginning in calendar year 1999.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** – Your Committee recommends that the proper City Officers be authorized to accept a grant award and execute a grant agreement with the U. S. Department of Justice, for the Community Oriented Policing Services (COPS) More Grant, in the amount of \$1,218,360, to enable the Minneapolis Police Department to significantly improve officers' efficiency and effectiveness by expanding computer laptop technology into nearly every patrol and SAFE squad to allow the redeployment of officers for community policing.

Your Committee further recommends passage of the accompanying Resolution appropriating \$1,218,360 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-416**  
**By Biernat and Campbell**

**Amending The 1998 General  
Appropriation Resolution.**

Resolved by The City Council of The City  
of Minneapolis:

That the above-entitled Resolution, as  
amended, be further amended by increasing  
the appropriation for the Police Department  
Agency in the Grants – Federal Fund (030-400-  
4182) by \$1,218,360, and increasing the  
Revenue Source (030-400-4182 – Source  
3210) by \$1,218,360.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
J. Cherryhomes, President of Council.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget – Your**  
Committee recommends that the proper City  
Officers be authorized to accept a grant award  
and execute a grant agreement with the State  
Department of Public Safety, Office of Traffic  
Safety, for the Safe & Sober grant in the  
amount of \$40,000 to pay overtime to police  
officers in the Traffic Unit and Park officers to  
increase enforcement targeting of impaired  
drivers, juvenile and young adult violators,  
speed violations and other enforcement to  
reduce accidents and increase driver safety.

Your Committee further recommends  
passage of the accompanying Resolution  
increasing the Police Department Agency by  
\$40,000 to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-417**  
**By Biernat and Campbell**

**Amending The 1998 General  
Appropriation Resolution.**

Resolved by The City Council of The City  
of Minneapolis:

That the above-entitled Resolution, as  
amended, be further amended by increasing  
the appropriation for the Police Department  
Agency in the Grants – Federal Fund (030-400-  
DT15) by \$40,000, and increasing the Revenue  
Source (030-400-DT15 – Source 3210) by  
\$40,000.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
J. Cherryhomes, President of Council.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget – Your**  
Committee, having under consideration the  
Multi-Jurisdictional Narcotics Enforcement  
Task Force, now recommends that the proper  
City Officers be authorized to execute a grant  
agreement with the Minnesota Department of  
Children, Families and Learning, Office of Drug  
Policy, to accept an additional \$352,000 in  
federal anti-drug funds, and to extend the grant  
for the period January 1 through December 31,  
1999.

Your Committee further recommends that  
the proper City Officers be authorized to amend  
the grant agreement between the Minneapolis  
Police Department and the State of Minnesota,  
and the Drug Enforcement Task Force  
agreement between the Police Department and  
the Hennepin County Sheriff's Department to  
continue the work of the Task Force for  
calendar year 1999, and to provide a cash  
match from the City in the amount of \$70,400  
from the Minneapolis Police Special Revenue  
Fund.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget – Your**

Committee recommends acceptance of low bid meeting specifications received on OP #4964 (Petr No 264250) submitted by DTC Communications, Inc., for an estimated annual expenditure of \$40,000, for furnishing and delivering radio transmitters, repeaters and receivers to the Minneapolis Police Department, all in accordance with City specifications. Quantities may be increased up to 100% at bid prices, and vendor offers to extend prices and conditions for one 12-month period at the sole option of the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget – Your**

Committee recommends that the proper City Officers be authorized to execute an agreement with the Minnesota Department of Health, in the amount of \$100,456, to receive funds as part of the Early Childhood Tracking Program, to monitor and assess infants and toddlers at risk for health or developmental problems for the period September 1, 1998 through June 30, 2000, payable from the Health Department (060-440-4413). The funding for said program will be subcontracted to Hennepin County for the 348-TOTS development services program.

Your Committee further recommends passage of the accompanying Resolution appropriating \$100,456 to the Health Department Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved October 30, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 3, 1998)

**RESOLUTION 98R-418  
By Biernat and Campbell**

**Amending The 1998 General  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants – Other Fund (060-440-4413) by \$100,456.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved October 30, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 3, 1998)

**PS&RS & W&M/Budget – Your**

Committee recommends that the proper City Officers be authorized to accept a grant award from the federal Maternal and Child Health Bureau, Health Tomorrows Grant, in the amount of \$50,000 to fund school health services at North Star Elementary School clinic for the period October 1, 1998 through September 30, 1999.

Your Committee further recommends that the proper City Officers be authorized to execute an agreement with Hennepin County, through Pilot City Health Center, in the amount of \$50,000, for school-based clinic services for the period October 1, 1998 through December 31, 1999 (Petr No 264247), contingent upon approval of funds in the 1999 budget.

Your Committee further recommends passage of the accompanying Resolution appropriating \$50,000 to the Health Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-419  
By Biernat and Campbell**

**Amending The 1998 General  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants – Federal Fund (030-440-4413) by \$50,000.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** – Your

Committee, having under consideration the delivery of outreach and education services concerning lead based paint hazards to rental property owners, now recommends:

a. the establishment of a permanent landlord liaison position to conduct community assessment, develop an outreach network for landlords, conduct and evaluate lead hazard control training sessions for landlords and other duties as necessary to fulfill the requirements of the Centers for Disease Control grants administered by the Minnesota State Department of Health;

b. that the title and classification shall be determined by Human Resources staff;

c. the position shall be contingent upon the City receiving funding from the Centers for Disease Control and the Minnesota State Department of Health, to be payable from Licenses & Consumer Services (030-835-8392).

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

**T&PW** – Your Committee recommends passage of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the cleanups of the areas around the Solid Waste Collection Points on the list of properties set forth in Petn No 264256.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-420**

**By Mead**

**Adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the cleanups of the areas around the Solid Waste Collection Points on the list of properties set forth in Petn No 264256.**

Whereas, a public hearing was held on October 22, 1998 in accordance with Sections 225.660 and 225.690 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment roll on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following proposed assessments be waived/re duced:

a) 5049 Beard Av S (PID #17-028-24-31-0016), waive \$52.73;

b) 3751 Dupont Av N (PID #04-029-24-43-0003), waive \$52.50;

c) 1538 Hillside Av (PID #16-029-24-24-0055), waive \$52.50;

d) 1530 Oliver Av N (PID #16-029-24-33-0047), waive \$52.50;

e) 1526 Vincent Av N (PID #17-029-24-43-0085), waive \$26.25.

That the proposed assessments against the affected properties on the list dated September 28, 1998 set forth in Petn No 264256 in the total amount of \$12,361.26 and as shown on the proposed assessment roll on file in the Office of the City Clerk be and hereby is revised to \$12,019.78 and are adopted and levied as revised herein.

Be It Further Resolved that the revised assessments in the amount of \$12,019.78 be collected in one (1) installment on the 1999 real estate tax statements with interest charged at the same rate as assessment bonds are sold for in 1998.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is revised to \$12,019.78 and adopted as revised herein and that the City Clerk is hereby directed to transmit a certified copy of said



revised assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends passage of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties set forth in Petn No 264256.

Mead moved to amend the report and resolution as follows:

a) Reduce the assessment against the property at 11 27th Av SE from \$48.55 to \$26.32;

b) Reduce the assessment against the property at 2838 Polk St NE from \$269.01 to \$86.28;

c) Reduce the assessment against the property at 1601 11th Av S from \$1,101.58 to \$601.58;

d) Reduce the assessment roll by \$704.96, from \$359,443.60 to \$358,738.64. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 98R-421**

**By Mead**

**Adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties set forth in Petn No 264256.**

Whereas, a public hearing was held on October 22, 1998 in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments as shown on the proposed assessment rolls on file in the Office of the City Clerk and to

consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following proposed assessments be reduced:

a) 11 27th Av SE (PID #30-029-23-34-0012), reduce to \$26.32;

b) 2838 Polk St NE (PID #12-029-24-22-0064), reduce to \$86.28;

c) 1601 11th Av S (PID #26-029-24-31-0016), reduce to \$601.58.

That the proposed assessments against the affected properties on the list dated October 21, 1998 set forth in Petn No 264256 in the total amount of \$359,443.60 and as shown on the proposed assessment rolls on file in the Office of the City Clerk be and hereby is revised to \$358,738.64 and are adopted and levied as herein revised.

Be It Further Resolved that the assessments of more than \$100 be collected in five (5) successive equal annual principal installments beginning on the 1999 real estate tax statements with interest charged at the same rate as assessment bonds are sold for in 1998.

Be It Further Resolved that the assessments of \$100 or less be collected in one (1) installment on the 1999 real estate tax statements with interest charged at the same rate as assessment bonds are sold for in 1998.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are revised to \$358,738.64 and adopted as revised herein and that the City Clerk is hereby directed to transmit certified copies of said revised assessment rolls to the Hennepin County Auditor.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends passage of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the removals of snow and ice from public sidewalks on the list of properties set forth in Petn No 264256.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-422**  
**By Mead**

**Adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the removals of snow and ice from public sidewalks on the list of properties set forth in Petn No 264256.**

Whereas, a public hearing was held on October 22, 1998 in accordance with Chapter 445 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment roll on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed assessments against the affected properties on the list dated September 21, 1998 set forth in Petn No 264256 in the total amount of \$3,806.57 and as shown on the proposed assessment roll on file in the Office of the City Clerk be and hereby are adopted and levied.

Be It Further Resolved that the assessments be collected in one (1) installment on the 1999 real estate tax statements with interest charged at the same rate as assessment bonds are sold for in 1998.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
J. Cherryhomes, President of Council.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the Orion Project, a cooperative

multi-agency effort with the Minnesota Department of Transportation (MnDOT) to make more effective use of existing transportation facilities through application of Intelligent Transportation System (ITS) technologies, now recommends that the proper City officers be authorized to execute Joint Powers Agreement #76439 with MnDOT regarding the City's participation in the Orion Project.

Your Committee further recommends that MnDOT, along with its contractors and subcontractors, be granted access to the City facilities as required for the installation and maintenance of the Orion Project initiatives.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the Institute of Arts parking ramp and related property located adjacent to 3rd Av S which is being leased by the City to the Minneapolis Society of Fine Arts who wishes to purchase the property as allowed in said lease, now recommends that the proper City officers be authorized to negotiate and execute the sale of said Lease Property, as defined in Section 10.03 of the Lease Agreement dated November 7, 1978 between the City and the Minneapolis Society of Fine Arts. (Petn No 264256)

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the Flood Mitigation Program and the Holland Flood Basin Project which will require acquisition of properties, now recommends that the Minneapolis Community Development Agency (MCDA) be directed to negotiate the acquisition of the following properties:

**Properties to be  
acquired immediately**  
800 22nd Av NE  
801 20th Av NE  
805 20th Av NE  
806 20th Av NE

**Properties to be  
acquired beginning  
January, 1999**

804-06 22nd Av NE  
808 22nd Av NE  
812 22nd Av NE  
816 22nd Av NE  
804 20th Av NE  
809 20th Av NE  
810 20th Av NE  
814 20th Av NE  
815 20th Av NE  
817 20th Av NE  
1919 Quincy St NE  
1915 Quincy St NE  
1911 Quincy St NE  
801 19th Av NE  
807 19th Av NE  
809-11 19th Av NE

Your Committee further recommends the City Engineer be authorized to approve the recommendations of the MCDA, and that upon approval of the City Engineer, that the proper City officers be authorized to execute the appropriate agreements.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends that the proper City officers be authorized to enter into a cooperative agreement with the Minnesota Department of Transportation (MnDOT) providing that the Minneapolis Department of Public Works, Engineering Design Division, will prepare construction plans for the relocation of existing sanitary sewers along Hiawatha Av between 46th St E and 54th St E and that MnDOT will reimburse the City for these design services to a maximum amount of \$30,000.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration Tax Forfeited Land List #1049-C/NC and having received a recommendation

from the City Engineer indicating one property which could be used by the City for bridge and slope purposes, now recommends that the Public Works Department be authorized to acquire the following described parcel of land:

**Address:** 1497 S Cedar Lake Rd;

**Property ID:** 29-029-24-33-0002;

**Use:** Bridge and Slope.

Your Committee further recommends that Public Works staff be directed to notify the Minneapolis Community Development Agency (MCDA) of said authorization and request that their recommendation to the Community Development Committee regarding tax forfeited properties include conveyance of the above described parcel property to the City.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the Dinkytown Bikeway Connection project and the discovery of potentially contaminated soil as part of an environmental soil investigation for the project, now recommends concurrence with the recommendation of the City Engineer that the proper City officers be authorized to enter the Minnesota Pollution Control Agency (MPCA) Voluntary Petroleum Investigation and Cleanup Program so that the City will be allowed to proceed with construction of said bikeway project.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends passage of the accompanying resolution adopting assessments for unpaid Water, Sewer and Solid Waste Charges on the list of properties set forth in Petn No 264255 on file in the Office of the City Clerk.

Your Committee further recommends that a credit of \$208.88 be applied to the service account for the property at 4017 Elliot Av S (PID #11-028-24-24-0143) since the charges against that property were reduced by 50% but the full assessment amount was already paid.

Johnson moved to amend the report and resolution by reducing the assessment against the property at 4356 Washburn Av N (PID #05-029-24-12-0158) from \$784.17 to \$329.08. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-423**  
**By Mead**

**Adopting assessments for unpaid  
Water, Sewer and Solid Waste Charges on  
the list of properties set forth in Petn No  
264255 on file in the Office of the City Clerk.**

Whereas, a public hearing was held on October 20, 1998 in accordance with Section 225.660 of the Minneapolis Code of Ordinances to consider the proposed assessments as listed on the proposed assessment roll hereinafter noted and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following proposed assessments be adjusted:

a. 2718 Oakland Av S (PID #35-029-24-32-0339): Waive assessment of \$1,494.24;

b. 2643 Washington St NE (PID #11-029-24-13-0233): Reduce the assessment by \$267.17, from \$567.17 to \$300;

c. 2413 1st Av S (PID #34-029-24-13-0009): Reduce assessment by one-half, from \$2,823.16 to \$1,411.58;

d. 1931 St. Anthony Parkway (PID #01-029-24-44-0110): Authorize assessment of \$399.61 and direct staff to assist homeowner in dealing with title company;

e. 3213 Garfield Av (PID #03-028-24-23-0091): Reduce assessment by one-half, from \$161.07 to \$80.54;

f. 2600 Monroe St NE (PID #11-029-24-13-0155): Authorize assessment of \$647.68 and direct staff to provide affidavit of City records to enable homeowner to pursue claim against title insurance company;

g. 3654 Aldrich Av N (PID #04-029-24-44-0217): Authorize assessment of \$714.07 and request homeowner to provide a copy of the check which paid the outstanding bill and, if appropriate, credit amount of check to account;

h. 426 24th Av N (PID #15-029-24-22-0207): Authorize assessment of \$1,506.93 and direct staff to provide affidavit of City records to enable homeowner to pursue claim against title insurance company;

i. 3825 Portland Av (PID #11-028-24-22-0054): Authorize assessment of \$859.74 and direct staff to credit service account if payment was made by previous billpayer;

j. 3539 Oliver Av N (PID #09-029-24-22-0212): Authorize assessment of \$759.74 and direct staff to provide affidavit of City records to enable homeowner to pursue claim against title insurance company;

k. 4620 Columbus Av (PID #14-028-24-22-0185): Authorize assessment of \$272.26 and direct staff to send a letter to the homeowner describing the responsibilities of the seller and the title insurance company;

l. 3944 18th Av S (PID #11-028-24-11-0195): Authorize assessment of \$164.86 and direct staff to send a letter to the homeowner describing the obligations of the title company;

m. 2716 14th Av S (PID #35-029-24-42-0046): Authorize assessment of \$1,707.21

n. 5006 N 4th St (PID #12-118-21-13-0150): Reduce assessment by one-half, from \$575.72 to \$287.86;

o. 5523 Garfield Av (PID #22-028-24-22-0135): Reduce assessment by one-half, from \$158.74 to \$79.37;

p. 1243 Thomas Av N (PID #20-029-24-12-0001): Waive full assessment of \$481.57;

q. 4158 James Av N (PID #04-029-24-24-0057): Reduce assessment by one-half, from \$187.45 to \$93.72;

r. 909 W 44th St (PID #09-028-24-44-0031): Reduce assessment by one-half, from \$362.94 to \$181.47;

s. 4035 Wentworth Av (PID #10-028-24-24-0050): Reduce assessment by one-half, from \$365.51 to \$182.75;

t. 4059 Sheridan Av N (PID #05-029-24-14-0109): Reduce assessment by one-half, from \$228.96 to \$114.48;

u. 322 Clifton Av (PID #27-029-24-32-0089): Reduce assessment by one-half, from \$1,080.16 to \$540.08;

v. 2500 Washington Av N (PID #15-029-24-21-0028): Reduce assessment by one-half, from \$1,636.69 to \$818.35;

w. 4929 Chicago Av (PID #14-028-24-24-0171): Reduce assessment by one-half, from \$684.91 to \$342.45;

x. 5042 34th Av S (PID #18-028-23-32-0056): Authorize assessment of \$479.86 and direct staff to inform property owner that bills were sent to local management company;

y. 4356 Washburn Av N (PID #05-029-24-12-0158): Reduce assessment by one-half, from \$784.17 to \$329.08.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration parking rates for the Municipal Parking System, now recommends that the rates, as shown on the attachment included in Petn No 264255 on file in the Office of the City Clerk, be established. Transient and monthly rates shall be effective December 1, 1998, except where noted on said attachment.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, to whom was referred back a report regarding the City's response to possible contract violations by City towing contractor, Shorty's Heavy Duty Wrecker Service ("Shorty's"), now recommends that the proper City officers be authorized to negotiate with Shorty's seeking payment of a fine of not less than \$30,000, \$7,500 of which would be cash and the balance of which would be deducted from settlement checks paid by the City for towing services (for no more than 1,000 tows). Shorty's is required to accept or decline the settlement offer no later than the close of business on Friday, October 23, 1998.

Mead moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

**T&PW** – Your Committee, to whom was referred back a report regarding the City's response to possible contract violations by City towing contractor, Shorty's Heavy Duty Wrecker Service ("Shorty's"), now recommends approval of a settlement which provides that Shorty's will pay a fine of not less than \$30,000, \$7,500 of which shall be cash and the balance of which shall be deducted from settlement checks paid by the City for towing services (for no more than 1,000 tows). (Petn No 264255)

The report, as substituted, was adopted.

Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration *Minneapolis Unwrapped*, a promotion proposed by the Mayor to encourage holiday shopping in Minneapolis neighborhoods and commercial nodes, now recommends concurrence with the Mayor on the following program components:

1. Printed tabloid inserts which will feature and describe shopping areas in the City, to be distributed in downtown and neighborhoods;

2. Visibility events between Thanksgiving and New Year's Day to highlight shopping areas and promote the program; and

3. A November press conference launching the program, including participation of business owners.

Your Committee further recommends that the proposal to include free meter parking for shoppers from November 28 through January 1 in certain areas with enforced weekend meters be withheld from the *Minneapolis Unwrapped* promotion, and staff be directed to work on further development of that element, such as the ability to utilize debit cards.

Mead moved to amend the report by adding to the end of the final paragraph, "for implementation next year." Seconded.

Adopted upon a voice vote.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET**

Committees submitted the following reports:

**T&PW & W&M/Budget** – Your Committee recommends acceptance of the only bid received on OP #4953 (Petn No 264258) submitted by Lawrence Sign, in the amount of \$28,655, for furnishing, delivering and installing signage in the Federal Courthouse/Haaf Ramp Tunnel system, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said project/service.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration the Treatment Process Feasibility Study completed in 1997 for the Minneapolis Water Works by HDR Engineering and Malcolm Pirnie, Inc. and the recommendation of the City Engineer that the results and recommendations of said study should be reviewed with the assistance of a consultant, now recommends that the proper City officers be authorized to proceed with a Request for Proposals consultant selection process to conduct a value engineering/peer review study of the Treatment Process Feasibility Study.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration the West Metro Education/University of St. Thomas Municipal Parking Ramp project, now recommends:

1. Approval of change orders increasing the City's contract with Opus by \$173,718 for the removal and disposal of unforeseen contaminated soil and importing sand due to insufficient quantities remaining after disposal of contaminated soil; and

2. Passage of the accompanying resolution appropriating \$110,000 to the PW – Transportation Capital Agency, representing

the transfer of funds from the Minneapolis Community Development Agency for said work changes.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-424**

**By Mead and Campbell**

**Amending The 1998 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation Capital Agency in the Hennepin at 10th Municipal Ramp Fund (7570-943-9464) by \$110,000 and increasing the revenue source (7570-943-9464 – Source 9464) by \$110,000, representing funds transferred from the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, to whom was referred the subject matter of evaluation of a proposal by Bituminous Roadways, Inc. for a joint venture asphalt operation, now recommends that the proper City officers be authorized to send a response to Bituminous Roadways declining their proposal and citing the City's rationale.

Adopted. Yeas, 11; Nays, 2 as follows:

Yeas – Goodman, Colvin Roy, Herron, Mead, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays – Minn, McDonald.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET**

Committee submitted the following reports:

**W&M/Budget** – Your Committee recommends adoption of the following

schedule for budget hearings, with the understanding that the Budget Director will provide Council Members with a schedule clarifying when each department budget will be discussed:

Tuesday, November 17, 1998, 2:00 p.m., Mayor's Recommended Budget Address;

Thursday, November 19, 1998, 9:30-4:30, Overview of Mayor's Recommended Budget (overview by John Moir, Don Siggelkow and Jack Qvale of the operating budget and capital program);

Monday, November 30, 1998, 9:30-4:30, Budget Hearings;

Tuesday, December 1, 1998, 9:30-4:30, Budget Hearings;

Monday, December 7, 1998, 9:30-4:30, Budget Hearings;  
(budget hearings include departmental presentations and presentations relating to other City issues);

Monday, December 7, 1998, 5:05 p.m., Truth in Taxation Public Hearing relating to Mayor's Recommended Budget;

Tuesday, December 8, 1998, 9:30-4:30, Ways and Means/Budget Mark-up;

Wednesday, December 9, 1998, 9:30-4:30, Ways and Means/Budget Mark-up;

Thursday, December 10, 1998, 5:05 p.m., Budget Adoption by Minneapolis City Council.

Your Committee further clarifies that a schedule for committee meetings has been proposed, as more fully set forth in Petn No 264266, on file in the Office of the City Clerk, with the understanding that said schedule can be amended, if necessary, to cancel or reschedule proposed committee meetings.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends approval of the new Central Library organizational structure, work plan and role definition and further recommends approval of the proposed job description for the position of Project Manager, all as more fully set forth in Petn No 264267 on file in the Office of the City Clerk.

Your Committee further recommends passage of the accompanying Resolution

amending Resolution No 98R-213 entitled, "Resolution Establishing a New Central Library Implementation Committee," passed June 26, 1998, by deleting the Chair of the Intergovernmental Relations Committee from the membership and adding the Chair of the Ways and Means/Budget Committee.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-425**  
**By Campbell**

**Amending Resolution No 98R-213 entitled, "Resolution Establishing a New Central Library Implementation Committee," passed June 26, 1998.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to change the membership of the New Central Library Implementation Committee by deleting the language, "Chair, Intergovernmental Relations Committee," and inserting in lieu thereof, the language, "Chair, Ways and Means/Budget Committee."

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration revisions to the Minneapolis Convention Center expansion program, schedule and budget, now recommends concurrence with the following recommendations of the Minneapolis Convention Center Implementation Committee, based upon the fund-raising results to date and further based upon the cost and schedule impacts presented by the Project Coordinator and his staff:

1) That the International Business Conference Center (Auditorium) be included in the Project Program;

2) That the City commit to a project budget of \$194,000,000, as follows:

Convention Center expansion without sales tax	\$138,800,000
Other project costs	<u>55,200,000</u>
Total	\$194,000,000

3) That the Project Coordinator negotiate an appropriate amendment to the Architect/Engineer and Construction Manager contracts to include the International Business Conference Center;

4) That the Project Coordinator direct the Architect/Engineer to commence schematic design on the International Business Conference Center; and

5) That the City Finance Officer be authorized to issue a Request for Proposals (RFP) for the purpose of awarding naming rights for the International Business Conference Center.

Your Committee further recommends that the City Finance Officer be directed to broaden the scope of the RFP or to advise appropriate companies that the City will potentially seek naming rights for other components of the facility.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to execute a contract with SRF Consulting Group, Inc, to provide design services for the Avenue of the Arts (Third Avenue South from the Mississippi River to 26th Street South) for an estimated amount not to exceed \$100,000, payable from the Permanent Improvement Projects Fund – Convention Center Site (4100-975-9751).

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends acceptance of \$5,000 from the Medtronic Foundation, \$1,000 from the Honeywell Foundation and \$1,850 from individual donors, as contributions to the Minneapolis Arts Commission's Neighborhood Arts New Presenters Program.

Your Committee further recommends passage of the accompanying Resolution increasing the Communications Agency Appropriation by \$7,850.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

## **RESOLUTION 98R-426**

### **By Campbell**

#### **Amending The 1998 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Communications Agency in the Grants – Other Fund (0600-800-8015) by \$7,850 and increasing the Communications Agency revenue estimate in the Grants – Other Fund (0600-800-8015-Source 3720) by \$7,850.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the following lawsuits filed against the City be settled and be payable to the following:

a) Marjorie Iraci and her attorneys, Craig A. Wible and Harold Sadoff and Associates, in the amount of \$2,500, payable from 6900-150-1500-6070; and

b) Daniel Jensen and his attorney, William Starr, \$9,000, payable from 6900-150-1500-6070.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 26, 1999)

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to execute Amendment No. 1 to Contract No. 13203 with Knutson Construction



Company for the Convention Center parking garage, to add a value engineering clause that would provide an incentive for Knutson to explore and propose cost-saving recommendations and to share in the net savings realized by implementation of said recommendations.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends acceptance of the low bid received on OP No. 4984 (Petr No. 264267), submitted by Premier Restaurant Equipment Company, 800 North Highway 169, for food service equipment for the Convention Center kitchen expansion, in the amount of \$42,768, all in accordance with City specifications.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to extend through June 30, 1999 the Fund Availability Notice (FAN) No. 47-1, which was issued to Club Fed, Inc, in the amount of \$38,893 and further recommends that the proper City officers be authorized to issue FAN No. ZO-1 to Club Fed, Inc, under Master Contract No. 10005, for summer and after-school enrichment activities, for the period from April 1, 1998 through June 30, 1999, in the amount of \$20,000, payable from 0600-860-8605.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to execute Amendment No. 1 to Agreement No. 12479 with Youth Trust to integrate career development and work readiness into schools and work settings, extending said contract through December 31, 1999 and increasing the amount by \$25,000, for a new contract total of \$50,000, payable from Neighborhood Services Agency in the General Fund (0100-860-8605).

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends approval for the Human Resources Department to begin planning the City's participation in the National Arts Program, to inspire, acknowledge and reward creative accomplishment throughout the nation, with the understanding that the foundation will provide resources needed for the exhibit, including display and promotional materials, certificates of participation, scholarship prizes and up to \$2,500 in matching funds and that the Human Resources Department will provide required staff, will determine a site for the event, and will solicit funds from current department budgets for a reception, as required for participation.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration the salary schedule for the International Alliance of Theatrical and Stage Employees (IATSE) and Motion Picture Machine

Operators of the United States and Canada, Local Union No.13, now recommends that Council action of October 2, 1998, Ordinance 98-Or-110, be amended to delete a non-applicable effective date, to change a portion of Section 3 and to repeal Section 4.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance providing for implementation of salary adjustments, as amended, as set forth in said labor agreement.

Your Committee further recommends summary publication of the above-described Ordinance.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-125 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, providing for salary adjustments based on the labor agreement settlement with the International Alliance of Theatrical and Stage Employees (IATSE) and Motion Picture Machine Operators of the United States and Canada, Local Union No.13, as amended, was passed October 30, 1998, by the City Council and approved November 5, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 98-Or-125**  
**By Campbell**  
**1<sup>st</sup> & 2<sup>nd</sup> Readings: 10/30/98**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

20.10.01 Council Jurisdiction

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 1998, November 1, 1998; and January 1, 1999 ~~and November 1, 1999~~ and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

Section 1. That Section 3 of Ordinance 98-Or-110, amending Section 20.10.01 of the above-entitled ordinance be amended to read as follows:

STAGEHANDS (0013)  
Effective January 1, 1999

<u>FLSA</u>	<u>OTC</u>	<u>CODE</u>	<u>CLASSIFICATION</u>	<u>P</u>	<u>RATE</u>
N	2	740	Production Technician – Permanent	B	\$1,502.39
N	2	743	Temporary Stagehand - General Work	H	\$16.49

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N	2	743	Temporary Stagehand – Performance (1)	H	\$17.61
<u>N</u>	<u>2</u>	<u>740</u>	<u>Temporary Stagehand – Performance (2)</u>	<u>H</u>	<u>\$20.61</u>
			Rigger Rate*	H	\$26.75

\*Rate for heavy rigging as defined in Section 20.02 of the Agreement.

Provided that a \$1.50 per hour shift differential be paid for shifts which start between the hours of 5:00 p.m. and 4:00 a.m.

Provided further that a \$.75 per hour shift differential be paid for shifts which start between the hours of 5:00 a.m. and 6:00 a.m. or between the hours of 4:00 p.m. and 5:00 p.m.

Provided that employees designated by the Employer as leadworker shall be paid a premium of one dollar (\$1.00) for each hour worked as leadworker.

Provided that employees shall receive the following longevity. These payments shall be based on a maximum of 80 hours bi-weekly.

\$ .09 cents per hour additional at the beginning of the 10<sup>th</sup> year of service.

\$ .19 cents per hour additional at the beginning of the 15<sup>th</sup> year of service.

\$ .24 cents per hour additional at the beginning of the 20<sup>th</sup> year of service.

\$ .45 cents per hour additional at the beginning of the 25<sup>th</sup> year of service.

Section 2. That Section 4 of Ordinance 98-Or-110, amending Section 20.10.01 of the above-entitled ordinance be and is hereby repealed.

~~STAGEHANDS (0013)~~

~~Effective November 1, 1999~~

<u>FLSA</u>	<u>OTC</u>	<u>CODE</u>	<u>CLASSIFICATION</u>	<u>P</u>	<u>RATE</u>
N	2	740	Temporary Stagehand—Performance (2)	H	\$20.61

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998. J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends approval of the labor agreement settlement for the Public Works Engineers Association, as more fully set forth in Petn No 264269, which summarizes the major proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a 2-year contract to reflect the terms of said agreement, effective January 1, 1998 through December 31, 1999.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance providing for implementation of salary adjustments, as set forth in said labor agreement.

Your Committee further recommends summary publication of the above-described Ordinance.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-126, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, providing for salary adjustments based on the labor agreement settlement with the Public Works Engineers Association, was passed October 30, 1998, by the City Council and approved November 5, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 98-Or-126**  
**By Campbell**  
**1<sup>st</sup> & 2<sup>nd</sup> Readings: 10/30/98**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective January 1, 1998.

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective January 1, 1998, and January 1, 1999, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the biweekly salary rates unless stated otherwise.

**PUBLIC WORKS ENGINEERS' ASSOCIATION (CEN)**  
**Effective: January 1, 1998**

FLSA	OTC	JOB CD	CLASSIFICATION		1st P STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
Group I											
E	1	00780C	Asst. Director, Transportation	B	2322	2443	2573	2711	2858	3007	
E	1	00740C	Asst. Director, Operations	B	2533	2659	2791	2932	3078	3232	
E	4	03980C	Engineer II	B	1668	1793	1888	1990	2094	2208	2328
E	1	04000C	Engineer III	B	2194	2313	2435	2564	2707	2851	
E	4	03990C	Engineer II 1/2	B	2028	2130	2237	2347	2465	2591	
E	4	07890C	Plan Examiner II Struct. Engineer	B	1668	1793	1888	1990	2094	2208	2328
E	1	09440C	Street Maint. Engineer	B	2322	2443	2573	2711	2858	3007	
E	1	09790C	Supertndt, Water Plant Oper.	B	2322	2443	2573	2711	2858	3007	
E	1	09750C	Supertndt, Environ. Engin.	B	2322	2443	2573	2711	2858	3007	
E	1	10310C	Suprvsr, Trades Plan Review/Insp.	B	2194	2313	2435	2564	2707	2851	
Group II (Appointed)											
E	1	C00770	Asst Director PW/ Engin. Oper.	B	2783	2935	3091	3256	3435	3619	
E	1	C00760	Asst Director PW/Trans & Sp Proj	B	2783	2935	3091	3256	3435	3619	
E	1	C03260	Director, Equipment Services	B	2585	2720	2867	3023	3188	3359	
E	1	C03240	Director, Engin. Design & Planning	B	2585	2720	2867	3023	3188	3359	
E	1	C03310	Director, General Services	B	2585	2720	2867	3023	3188	3359	
E	1	C03350	Director, Inspections	B	2594	2737	2883	3038	3202	3376	
E	1	C03540	Director, Water Works	B	2676	2822	2974	3132	3303	3480	

Provided that employees in this section shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly:

\$ .15 cents per hour additional at the beginning of the 10th year of service.

\$ .22 cents per hour additional at the beginning of the 15th year of service.

\$ .33 cents per hour additional at the beginning of the 20th year of service.

\$ .39 cents per hour additional at the beginning of the 25th year of service.

Section 2. That the following classification in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective January 1, 1999.

**PUBLIC WORKS ENGINEERS' ASSOCIATION (CEN)**

**Effective: January 1, 1999**

Group I				1st	2nd	3rd	4th	5th	6th	7th
FLSA	OTC	JOB CD	CLASSIFICATION	P STEP	STEP	STEP	STEP	STEP	STEP	STEP
E	1	00780C	Asst. Director, Transportation	B	2380	2504	2637	2779	2929	3083
E	1	00740C	Asst. Director, Operations	B	2596	2725	2861	3005	3155	3313
E	4	03980C	Engineer II	B	1709	1838	1935	2039	2146	2263 2386
E	1	04000C	Engineer III	B	2248	2371	2496	2628	2775	2922
E	4	03990C	Engineer II1/2	B	2079	2183	2292	2406	2527	2656
E	4	07890C	Plan Examiner II Struct. Engineer	B	1709	1838	1935	2039	2146	2263 2386
E	1	09440C	Street Maint. Engineer	B	2380	2504	2637	2779	2929	3083
E	1	09790C	Supertndt, Water Plant Oper.	B	2380	2504	2637	2779	2929	3083
E	1	09750C	Supertndt, Environ. Engin.	B	2380	2504	2637	2779	2929	3083
E	1	10310C	Suprvsr, Trades Plan Review/Insp.	B	2248	2371	2496	2628	2775	2922

**Group II (Appointed)**

E	1	C00770	Asst Director PW/ Engin. Oper.	B	2852	3008	3169	3338	3521	3710
E	1	C00760	Asst Director PW/Trans & Sp Proj	B	2852	3008	3169	3338	3521	3710
E	1	C03260	Director, Equipment Services	B	2650	2788	2939	3098	3267	3443
E	1	C03240	Director, Engin. Design & Planning	B	2650	2788	2939	3098	3267	3443
E	1	C03310	Director, General Services	B	2650	2788	2939	3098	3267	3443
E	1	C03350	Director, Inspections	B	2659	2805	2955	3114	3282	3461
E	1	C03540	Director, Water Works	B	2743	2892	3048	3211	3385	3567

Provided that employees in this section shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly:

\$ .20 cents per hour additional at the beginning of the 10th year of service.

\$ .28 cents per hour additional at the beginning of the 15th year of service.

\$ .34 cents per hour additional at the beginning of the 20th year of service.

\$ .40 cents per hour additional at the beginning of the 25th year of service.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998. J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration the position of General Foreman, Electrician, now recommends approval of the hourly salary range of \$27.80 to \$29.15, effective November 1, 1997, and \$28.98 to \$30.28, effective May 2, 1998 and further recommends that the incumbent be placed at Step 6 of the salary schedule and receive back pay to January 1, 1998, in accordance with said rates.

Your Committee further having under consideration the position of Foreman, Electrician (Master), now recommends approval of the hourly salary range of \$27.98 to \$29.28, effective May 2, 1998.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance setting the salary for the positions of General Foreman, Electrician and Foreman, Electrician (Master), based on studies conducted by the Department of Human Resources.

Adopted. Yeas, 13; Nays, none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**ORDINANCE 98-Or-127**  
**By Campbell**  
**1st & 2nd Readings: 10/30/98**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to  
Administration: Personnel.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

Electricians Local 292 (CEL)

Effective: November 1, 1997

FLSAOTC CLASSIFICATION		P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP
N3	General Foreman, Electrician	H	27.80	27.99	28.12	28.19	28.29	29.15

Section 2. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

Electricians Local 292 (CEL)

Effective: May 2, 1998

FLSAOTC CLASSIFICATION		P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP
N3	General Foreman, Electrician	H	28.98	29.18	29.30	29.37	29.47	30.28
N2	Foreman, Electrician (Master)	H	27.98	28.18	28.30	28.37	28.47	29.28

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998. J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration the position of Foreman, Construction/Maintenance, now recommends approval of the bi-weekly salary range of \$1,644 to \$1,788, effective January 1, 1998 and that incumbents receive in cash the difference between the salaries paid to the Grade 7 and Grade 8 Foremen in their unit, as recorded in the contract in effect at the time and as effective on June 10, 1994 for Foreman, Traffic Maintenance and on September 1, 1994 for Foreman, Laborer.

Your Committee further recommends that the titles of Foreman, Traffic Maintenance and Foreman, Laborer be abolished.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance setting the salary for the position of Foreman, Construction/Maintenance, based on studies conducted by the Department of Human Resources.

Your Committee further recommends summary publication of the above-described Ordinance.

Adopted. Yeas, 13; Nays, none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-128, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Foreman, Construction/Maintenance, on studies conducted by the Department of Human Resources, was passed

October 30, 1998, by the City Council and approved November 5, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 98-Or-128**  
**By Campbell**  
**1<sup>st</sup> & 2<sup>nd</sup> Readings: 10/30/98**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis Foremans Association (CFO)  
Effective: January 1, 1998

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>P</b>	<b>Grade</b>	<b>1st STEP</b>	<b>2nd STEP</b>
N	2	Foreman, Construction/Maintenance	B	8	1644	1788

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis Foremans Association (CFO)  
Effective: January 1, 1999

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>P</b>	<b>Grade</b>	<b>1st STEP</b>	<b>2nd STEP</b>
N	2	Foreman, Construction/Maintenance	B	8	1685	1833

Section 3: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis Foremans Association (CFO)  
Effective: January 1, 2000 (a)

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>P</b>	<b>Grade</b>	<b>1st STEP</b>	<b>2nd STEP</b>
N	2	Foreman, Construction/Maintenance	B	8	1727	1879

(b)

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>P</b>	<b>Grade</b>	<b>1st STEP</b>	<b>2nd STEP</b>
N	2	Foreman, Construction/Maintenance	B	8	1736	1888

\*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund Revenue.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998. J.  
Cherryhomes, President of Council.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

**Z&P** – Your Committee, having under consideration the appeal filed by Septran Inc, from the decision of the Planning Commission denying application for a nonconforming use certificate, site plan review and variance to allow continued use as a gasoline filling station and motor vehicle repair and storage garage that services vehicles of not over 1-1/2 ton capacity at 3948 Nicollet Av (O-486, PR-463 and V-4376, respectively), and having conducted a public hearing thereon, now recommends:

1. Denial of the appeal for a nonconforming use certificate and adoption of the Planning Commission findings set forth in Petn No 264271; and

2. Approval of the appeal for a variance, in accordance with the Findings of Fact on file in the Office of the City Clerk and made a part of this report by reference.

Your Committee further recommends that no action be taken on the appeal for site plan review because denial of the nonconforming use certificate makes a site plan review moot.

McDonald moved that the above report be postponed. Seconded.

Adopted upon a voice vote.

**Z&P** – Your Committee, having under consideration the application of Tyron Springs for a waiver from Title 21, Chapter 588 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a moratorium on the establishment, re-establishment or expansion of any automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles or automobile combination convenience facility in any of the B3 zoning districts or in the B-2-S zoning district, to permit opening and operating an automobile combination convenience facility at 1604 W Broadway Av, and having conducted a public hearing thereon, now recommends

granting said waiver and adopting the related findings set forth in Petn No 264272.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee recommends granting the application of Top Line Advertising to replace existing signs with new signs at Borton Volvo, 5428 Lyndale Av S, as follows, notwithstanding the Zoning Code (1998-197):

- a. Replace 6' x 13' x 28' high Volvo pylon with 5' x 15'-8" x 25' high pylon;
- b. Replace 4' x 9' x 20' high used car pylon with 4' x 8' x 16' high flag mount sign; and
- c. Replace 2' x 7' x 5' high service department directional sign with 3.5' x 5' x 5' high sign.

Adopted. Yeas, 13; Nays none.  
Passed October 30, 1998.  
Approved November 5, 1998. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

### MOTIONS

Ostrow moved to introduce the subject matter of an ordinance amending Title 20, Chapter 530 relating to *Zoning Code: Site Plan Review Standards*, which was given its first reading and referred to the Zoning & Planning Committee (Allowing requirement of a performance bond to ensure compliance with site plan requirements). Seconded.

Adopted upon a voice vote.

Herron moved to amend Council Rule 11 by setting a quorum of 3 for the newly established Health & Human Services Committee and to set a regular meeting day and time to be Thursday, the first week of the Council cycle, at 1:30 p.m. Seconded.

Adopted upon a voice vote.

Niland moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Bradley Pass for a residential block event/hayride to be held Thursday, October 29, 1998, between the hours of 5:30 and 8:30 p.m., between East 24th Street and East 25th Street, between 16th and 17th Avenues South, having approval granted by Public Works and the



Police departments to grant said waiver.  
Seconded.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

### RESOLUTION

Campbell offered the following Resolution:

#### Resolution 98R-427

**Confirming action by the Board of  
Estimate and Taxation to sell General  
Obligation Parking Bonds, Series 1998.**

Resolved by The City Council of The City  
of Minneapolis:

That the action of the Board of Estimate  
and Taxation in conducting the sale of the  
City's \$19,200,000 General Obligation Parking  
Ramp Bonds, Series 1998, as a part of the sale  
of other bonds on October 28, 1998, is ratified  
and confirmed, including the use of term bonds  
subject to mandatory redemption in accordance  
with the Council's prescribed schedule and  
allocation of \$18,418,301 of the total sale  
proceeds plus accrued interest to such Parking  
Bonds.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

### UNFINISHED BUSINESS

Rental Dwelling License at 1035 17th Av  
SE: Concur with recommendation of Rental  
Dwelling License Board of Appeals to revoke  
license held by Erik Johnson. (Postponed  
10/16/98, PS&RS)

Biernat moved to continue postponement.  
Seconded.

Adopted upon a voice vote.

### NEW BUSINESS

McDonald was granted unanimous consent  
to introduce an Ordinance amending Title 21 of  
the Minneapolis Code of Ordinances relating to  
*Interim Ordinances*, to repeal expired Chapter  
577 entitled "*Providing for a moratorium on the  
establishment and licensing of motels in the*

*B3, B3S and B3C zoning districts*", which was  
given its first reading.

McDonald was further granted unanimous  
consent that the above-mentioned ordinance  
be given its second reading for amendment and  
passage.

### ORDINANCE 98-Or-129

**By McDonald**

**1st & 2nd Readings: 10/30/98**

**Repealing Chapter 577 of the  
Minneapolis Code of Ordinances relating to  
Interim Ordinances: Providing for a  
moratorium on the establishment and  
licensing of motels in the B3, B3S and B3C  
zoning districts.**

The City Council of the City of Minneapolis  
do ordain as follows:

Section 1. That Chapter 577 of the above  
entitled ordinance be and is hereby repealed.

Adopted. Yeas, 13; Nays none.

Passed October 30, 1998.

J. Cherryhomes, President of Council.

Approved November 5, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Biernat and McDonald offered the following  
ordinances amending the Minneapolis Code of  
Ordinances, which were given their first reading  
and referred to the Public Safety & Regulatory  
Services Committee:

a) Title 11, Chapter 225 relating to Health  
and Sanitation: Garbage and Refuse  
(Removing reference to repealed sections of  
the Code).

b) Title 12, Chapter 244 relating to  
Housing: Maintenance Code (Removing  
reference to repealed section of the Code).

c) Title 15, Chapter 389 relating to  
Offenses—Miscellaneous: Noise (Adding  
reference section relating to Noisy assembly,  
and amending Section 389.100 "Prohibited  
acts").

Biernat addressed the audience relating to  
the property at 2204 Emerson Avenue North.

The meeting was adjourned by unanimous  
consent.

Merry Keefe,  
City Clerk.  
98-9583